

1 AN ORDINANCE OF THE BOARD OF COUNTY
2 COMMISSIONERS OF PALM BEACH COUNTY,
3 FLORIDA, PROVIDING FOR THE IMPOSITION OF
4 A ONE CENT GAS TAX UPON EVERY GALLON OF
5 MOTOR FUEL AND SPECIAL FUEL SOLD IN PALM
6 BEACH COUNTY AND TAXED UNDER THE
7 PROVISIONS OF CHAPTER 206 OF THE FLORIDA
8 STATUTES; PROVIDING THAT THE LEVY SHALL
9 BE EFFECTIVE BEGINNING JANUARY 1, 1994;
10 PROVIDING FOR AUTHORIZATION FOR
11 UTILIZATION OF PROCEEDS FROM TAX;
12 PROVIDING FOR AN EFFECTIVE DATE;
13 PROVIDING FOR INCLUSION WITHIN THE COUNTY
14 CODE.

15 WHEREAS, Section 336.021 Florida Statutes,
16 authorizes the Board of County Commissioners, upon a vote of
17 majority plus one, to impose a one cent tax on every gallon of
18 motor fuel and special fuel sold in Palm Beach County; and

19 WHEREAS, Section 336.021 Florida Statutes, provides
20 that the proceeds of this tax shall be utilized to pay the
21 costs and expenses of establishing, operating, and maintaining
22 a transportation system and related facilities and the cost of
23 acquisition, construction, reconstruction, and maintenance of
24 roads and streets; and

25 WHEREAS, it is expressly recognized and declared by
26 the Legislature of the State of Florida that the
27 establishment, operation, and maintenance of a transportation
28 system and related facilities and the acquisition,
29 construction, reconstruction, and maintenance of roads and
30 streets fulfill a public purpose.

31 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF THE
32 COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

33 **SECTION 1.** This ordinance, referred to as the "9th Cent
34 Gas Tax Ordinance", is authorized by Section 336.021, Florida
35 Statutes.

36 **SECTION 2.** A one cent gas tax is hereby imposed upon every
37 gallon of motor fuel and special fuel sold in Palm Beach
38 County and taxed under the provisions of Chapter 206, Florida
39 Statutes.

40 **SECTION 3.** The tax levy hereby made shall be effective

1 January 1, 1994, and the tax shall be collected and remitted
2 in accordance with the provisions of Chapter 336, Florida
3 Statutes.

4 **SECTION 4.** The proceeds of the tax levied by this
5 ordinance shall be utilized for the purpose of paying the
6 costs and expenses of establishing, operating, and maintaining
7 a transportation system and related facilities and the cost of
8 acquisition, construction, reconstruction, and maintenance of
9 roads and streets.

10 **SECTION 5.** This Ordinance was adopted on the 17th day of
11 August, 1993 on the affirmative vote of a majority plus one
12 vote of the members of the Board of County Commissioners.

13 **SECTION 6.** The provisions of this Ordinance shall become
14 and be made part of the Code of Laws and Ordinances of Palm
15 Beach County, Florida. The sections of this Ordinance may be
16 renumbered or relettered to accomplish such and the word
17 "ordinance" may be changed to "section", "article", or other
18 appropriate word.

19 **SECTION 7.** If any section, paragraph, clause, phrase or
20 word of this ordinance is found unconstitutional, inoperative
21 or void, such holding shall not affect the remainder of this
22 Ordinance.

23 **SECTION 8.** All local laws and ordinances applying to the
24 incorporated and unincorporated areas of Palm Beach County in
25 conflict with any provision of this ordinance are hereby
26 repealed to the extent of any such conflict; provided however
27 that all existing taxes on motor fuel and/or special fuel
28 previously imposed by Palm Beach County shall remain in full
29 force and effect.

30 **SECTION 9.** The provisions of this ordinance shall become
31 effective upon receipt of acknowledgement by the Secretary of
32 State.

1 APPROVED AND ADOPTED by the Board of County
2 Commissioners of Palm Beach County, on the 17th day
3 of August, 19 93.

4 PALM BEACH COUNTY, FLORIDA,
5 BY ITS BOARD OF COUNTY COMMISSIONERS

6 By Mary McCarty
7 Chairman

8 APPROVED AS TO FORM AND
9 LEGAL SUFFICIENCY

10 Rebecca B.
11 COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
Board of County Commissioners

By Sarah Wright
DEPUTY CLERK

12 Acknowledgement by the Department of State of the State
13 of Florida, on this, the 24th day of
14 August, 19 93.

15 EFFECTIVE DATE: Acknowledgement from the Department of
16 State received on the 30th day of August, 19 93,
17 at 1:25 P.M. and filed in the Office of the
18 Clerk of the Board of County Commissioners of Palm Beach
19 County, Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 8-17-93
DATED at West Palm Beach, FL on 8-18-93
DOROTHY H. WILKEN, Clerk
By Sarah Wright D.C.



STATE OF FLORIDA, COUNTY OF PALM BEACH
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